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APPLICATION NO.	FILI	NG DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/684,503	10/15/2003		Hitoshi Sakamoto	243863US3DIV	243863US3DIV 4590	
22850	7590	10/05/2005	,	EXAM	EXAMINER	
OBLON, S	,	BUEKER, F	BUEKER, RICHARD R			
	1940 DUKE STREET ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER	
	,			1763	-	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
	10/684,503	SAKAMOTO ET AL.					
Office Action Summary	Examiner	Art Unit					
	Richard Bueker	1763					
The MAILING DATE of this communication app	ears on the cover sheet with the c	orrespondence address					
Period for Reply		(O) OD THEFTY (OO) DAYO					
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C.§ 133).					
Status		•					
1)⊠ Responsive to communication(s) filed on 20 Ju	<u>ıly 2005</u> .						
2a) This action is FINAL . 2b) This							
3) Since this application is in condition for allowar	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.					
Disposition of Claims							
4) Claim(s) 4,5,7,11-13,20,24-28 and 33-38 is/are	e pending in the application.						
4a) Of the above claim(s) 4,5,7,24-28 and 36-38 is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.							
6)☐ Claim(s) is/are rejected.							
7) Claim(s) is/are objected to.							
8)⊠ Claim(s) <u>11-13,20 and 33-35</u> are subject to res	striction and/or election requireme	∍nt.					
Application Papers							
9) The specification is objected to by the Examine	· ·f.						
10) The drawing(s) filed on is/are: a) acc		Examiner.					
Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correct							
11) The oath or declaration is objected to by the Ex	caminer. Note the attached Office	Action or form PTO-152.					
Priority under 35 U.S.C. § 119							
12) ☐ Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a))-(d) or (f).					
a) ☐ All b) ☐ Some * c) ☐ None of:							
1. Certified copies of the priority documents have been received.							
2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the prior		ed in this National Stage					
application from the International Bureau							
* See the attached detailed Office action for a list of the certified copies not received.							
·							
Attachment(s)							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) ☐ Interview Summary Paper No(s)/Mail Da						
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) Notice of Informal F	Patent Application (PTO-152)					
Paper No(s)/Mail Date 6) Other:							

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Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 11 and 20, drawn to an apparatus, classified in class 118, subclass 722.
- II. Claims 12 and 13, drawn to an apparatus, classified in class 118, subclass 723E.
- III. Claims 33-35, drawn to an apparatus, classified in class 118, subclass 724.

The inventions are distinct, each from the other because of the following reasons:

Inventions I, II and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have totally separate modes of operation and do not share the same technical features. The invention of Group I has the special technical feature of a gas reacting with a hot filament without requiring generation of plasma of the gas. The invention of Group II has the special technical feature of a bubbler and plasma generator with no halogenation or etching reaction whatsoever. The invention of Group III has the special technical feature of running gas through a heated spiral tube and reacting therewith without requiring generation of a plasma. As can be seen, the inventions of Groups I, II and III have different modes of operation and do not share a common technical feature and hence lack a single general inventive concept.

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Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Bueker whose telephone number is (571) 272-1431. The examiner can normally be reached on 9 AM - 5:30 PM, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parvis Hassanzadeh can be reached on (571) 272-1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Richard Bueker Primary Examiner Art Unit 1763

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